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July 1, 2020

Via ECF

Hon. Kenneth M. Karas
United States District Judge
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Re: USA v. Tyrell Rock, 11 CR 500-06 (KMK) 16 CV 04214 (KMK)

Your Honor:

By Order filed February 10, 2020, Your Honor assigned me pursuant to the Criminal Justice Act to represent Tyrell Rock. Pending before the Court is Rock's motion made pursuant to 28 USC §2255 to vacate, set aside, or correct his sentence. This motion was initially made under *Johnson v. U.S.*, 135 S.Ct. 2551 (2015) and was renewed after the Supreme Court's decision in *U.S. v. Davis*, 139 S.Ct. 2319 (2019).

I have consulted with Rock concerning his legal options. After consulting with counsel, Rock now requests that Your Honor permit him to withdraw his §2255 motion. Rock understands that withdrawal of his motion would leave his 2012 judgment (ECF 101), conviction for one count of possession, use, carrying and discharge of a firearm in furtherance of a crime of violence [18 USC §924(c)(1)(A)(iii)], and sentence undisturbed. Rock has already served his 120-month prison sentence, and is currently serving a term of Supervised Release. Rock wishes to finish his sentence without additional court proceedings.

I have consulted with AUSA Sarah Krissoff by email. The Government does not object to this request.

Granted. The Petition is deemed withdrawn.

So Ordered.



7/1/20

cc: AUSA Sarah Krissoff via ECF
Tyrell Rock via email

Respectfully submitted,



Daniel A. Hochheiser